

**VIRGINIA BOARD OF NURSING
MINUTES
SEPTEMBER 23, 2003**

TIME AND PLACE: The meeting of the Board of Nursing was called to order at 9:00 A.M. on September 23, 2003 in Conference Room 2, Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.

PRESIDING: Janet B. Younger, R.N., P.N.P., Ph.D., President

BOARD MEMBERS PRESENT: Linda Ault, R.N., M.S.N., Vice President (joined later)
Louise D. Hartz, Citizen Member, Secretary
Marion Alderman, Citizen Member
Lynne M. Cooper, Citizen Member
Gregory J. Huber, R.N., M.S.N.
Carol E. King, L.P.N., M.S.
Louisa Lief, R.N., M.S.
Denise Oppenhagen, R.N., B.S.N.
Judith E. Piersall, R.N., B.S.N.
Brenda L. Spady, L.P.N.
JoAnn Tillett, R.N. (joined later)

BOARD MEMBER ABSENT: Julia C. Semple, L.P.N.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director, Nurse Aide Registry Manager
Jessica Ressler, R.N., Nursing Education Consultant
Susan Bell Rosen, R.N., F.N.P., J.D., Deputy Executive Director, Discipline
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director, Education
Ann S. Hardy, R.N., M.S.N., Discipline Case Manager
Amy Davis, Administrative Assistant

OTHERS PRESENT: Robert Nebiker, Director, Department of Health Professions
Elaine Yeatts, Regulatory Analyst, Department of Health Professions

ESTABLISHMENT OF A QUORUM: With ten members of the Board present, a quorum was established.

ANNOUNCEMENTS: The next Committee of the Joint Boards of Nursing and Medicine meeting is scheduled for November 5, 2003.

Louise Hartz, Citizen Member has been appointed to the NCSBN Resolution Committee.

Lynne M. Cooper, Citizen Member has been appointed to the Board of Health Professions.

Introduction of Ann S. Hardy, R.N., M.S.N., Discipline Case Manager.

Janet B. Younger, R.N., P.N.P., Ph.D., President has been reappointed to APRN NSCBN task force.

DIALOGUE WITH
MR. NEBIKER:

Mr. Nebiker reported on the following activities:

- Office of Inspector General assessment of Nurse Aide Registry
- Nurse Aide MOU with DMAS
- Public Concerns regarding 54.1-2972 “Nurses Authority to Pronounce Death Under Certain Circumstances”
- On-line licensing
- Hospital and healthcare institution reporting under HB 1441
- Prescription monitoring program
- Emergency contact information

REGULATIONS:

Consideration of NOIRA to amend Licensed Nurse Practitioner Regulations to clarify education and certification requirements for licensure:

Ms. Yeatts reviewed information regarding the need for nursing education and certification to be congruent and that the education program. The Board discussed the need to clarify the language for requirements for initial licensure. The Boards intent is that the education program be at the graduate level.

Ms. Lief moved to adopt the NOIRA to include the information above.
The motion was seconded and carried unanimously.

Proposed regulations for fee increases related to Nurse License Compact and HB 1441:

Ms. Yeatts presented the information on required fee increases.

Ms. Ault moved to adopt the proposed regulations.
The motion was seconded and carried unanimously.

ORDERING OF AGENDA: The agenda was reviewed and ordered.

CONSENT AGENDA: The Board removed two items from the proposed consent agenda and adopted a motion by Ms. Hartz to accept the consent agenda which includes:

Minutes:

July 9, 2003 – Conference Call

July 14, 2003 – Dr. Younger

July 16, 2003 – Dr. Younger

August 27, 2003 – Conference Call

August 27, 2003 - Committee of the Joint Boards of Nursing and Medicine

Reports:

Finance Report

Open Cases Report

Case Summary Report

Case Standard Report
License Count Report
Examinations:
 NNAAP
 NCLEX
Probation Completed

Ms. Hartz moved to accept the minutes of July 15, 2003 and July 16, 2003 as corrected.

The motion was seconded and carried unanimously.

RECESS: The Board recessed at 10:35 A.M.

RECONVENTION: The Board reconvened at 10:55 A.M.

REPORTS: **Board of Health Professions:**
Ms. Cooper presented a summary of the minutes from the last meeting.

Health Practitioners Intervention Program:
Ms. Douglas reviewed the statistics that were distributed and the information was accepted as presented.

Executive Director Report:
Ms. Douglas presented information regarding the following topics:

- status of on-line licensure project
- emergency contact information
- nurse licensure compact
- confidential consent agreements

NCSBN annual meeting:
Dr. Younger reported on the NCSBN development of online courses for the purpose of continuing education and suggested the Board use as possible terms in disciplinary orders. Dr. Younger asked that the Discipline Committee review these courses. Ms. Hartz reported on the citizen meeting she attended. Ms. Douglas reported on the positive comments she received from those attending in regards to Virginia be the host state for the meeting.

Governors Advisory Council on the Future of Nursing in Virginia:
Dr. Younger shared the report from Dr. P.J. Maddox on registered nurse workforce requirements in Virginia. The report reflects that by 2020 without intervention, the shortage of nurses in Virginia will be 25,000. Dr. Younger also shared three proposals that will be forwarded by the Council to the General Assembly as suggested ways to reduce the nursing shortage in Virginia.

Mr. Nebiker and Ms. Yeatts left the meeting.

OTHER MATTERS: **Request for accommodation for examination:**

CLOSED SESSION: Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 11:25 A.M. in the matter of requests for accommodation for examination. Additionally, Ms. Hartz moved

that Ms. Douglas, Dr. Saxby, Ms. Power, Ms. Rosen, Ms. Ressler, Ms. Hardy, Mr. Casway and Ms. Davis attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:55 A.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Rauhiya Idarus:

Ms. Lief moved to grant the request for accommodation to take the exam and if successful, schedule an informal conference to determine if Ms. Idarus is in violation of §54.1-3007 (6).

The motion was seconded and carried unanimously.

Chanthachone Williams:

Ms. Oppenhagen moved to deny the request for accommodation based on lack of substantiation of disorder of written expression.

The motion was seconded and carried unanimously.

RECESS:

The Board recessed at 12:00 NOON.

RECONVENTION:
OTHER MATTERS
CONTINUED:

The Board reconvened at 1:15 P.M.

Request for newsletter articles:

Mr. Huber will submit an article regarding 2003 legislative update and Ms. Ault will submit an article regarding 54.1-2972 of the *Code of Virginia* "Nurses Authority to Pronounce Death". Dr. Younger offered to submit an article on nurse practitioners.

Appointment of Nominating Committee:

Dr. Younger reviewed the information regarding the Committee to take place at the November 2003 meeting.

Revision of By-laws:

Ms. Hartz, Ms. Cooper and Ms. Lief were appointed to a Committee to review the by-laws and present to the Board.

Revision of guidelines for applications by endorsement, examination and reinstatement:

Information was distributed by Ms. Douglas. Ms. Oppenhagen moved to approve as a guidance document as amended by the Board.

Panel assignments for November 2003:

The assignments for November were reviewed.

Informal Conference Committee dates for 2004:

Ms. Douglas asked Board Members to meet with Ms. Power and Ms. Rosen to establish the dates for January through June 2004 Informal Conference dates.

New Board Member Mentor Program:

Dr. Younger asked if changes need to be made to the system that has been used previously to mentor new Board Members. Positive feedback was given regarding this process. Dr. Younger will assign mentors to new Board Members.

Board Member Recognition:

Dr. Younger acknowledged Diane Tramel's service to the Board during her term and presented her with a plaque of recognition. Dawn Sykes was unable to be present for the acknowledgement of her term of service to the Board.

EDUCATION
PROGRAMS:

The Board considered the recommendations of the Education Special Conference Committee from its meeting on September 22, 2003.

Ms. Oppenhagen moved that the Board of Nursing adopt the recommendations as corrected.

The motion was seconded and carried unanimously.

CLOSED SESSION:

Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 1:35 P.M. for the purpose of consideration and discussion of consent orders. Additionally, Ms. Hartz moved that Ms. Douglas, Dr. Saxby, Ms. Power, Ms. Rosen, Ms. Ressler, Ms. Hardy and Ms. Davis attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 1:40 P.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

CASE ADJUDICATION:

Consent Orders:

Jenna S. Linebrink, C.N.A. 1401-072136

Ms. Oppenhagen moved to accept the Consent Order for the surrender of and the revocation of Ms. Linebrink's nurse aide certificate with a finding of abuse.

The motion was seconded and carried unanimously.

This Consent Order shall be effective upon entry by the Board stating the findings, conclusions and decisions.

Denise M. Watkins, R.N. 0001-088298

Ms. Tillett moved to accept the Consent Order for indefinite suspension of Ms. Watkins's license to practice as a registered nurse.
The motion was seconded and carried unanimously.

This Consent Order shall be effective upon entry by the Board stating the findings, conclusions and decisions.

Doris Lentz, L.P.N. 0002-019732

Ms. Lief moved to accept the Consent Order to accept the voluntary surrender of Ms. Lentz's license to practice as a licensed practical nurse.
The motion was seconded and carried unanimously.

This Consent Order shall be effective upon entry by the Board stating the findings, conclusions and decisions.

ADJOURNMENT:

The meeting was adjourned at 1:50 P.M.

Louise Hartz, Citizen Member
Secretary